

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

**LYNLEE MICHELE ROWDEN,**

**Plaintiff,**

**vs.**

**NANCY A. BERRYHILL, Acting  
Commissioner of the Social Security  
Administration,**


**Defendant.**

**Case No. CIV-18-342-SLP**

**ORDER**

Before the Court is the Report and Recommendation of United States Magistrate Bernard M. Jones entered December 3, 2018 [Doc. No. 22]. No objection to the Report and Recommendation has been filed nor has an extension of time in which to object been sought or granted. Therefore, the Report and Recommendation of the Magistrate Judge is ADOPTED in its entirety. Plaintiff's Application for Award of Attorney Fees under the Equal Access to Justice Act [Doc. No. 19] is GRANTED in the amount of \$2,140.20. Defendant is ordered to make the fees payable to Plaintiff as the prevailing party. If attorney's fees are also awarded under the Social Security Act pursuant to 42 U.S.C. § 406(b), Plaintiff's counsel shall refund the small award to Plaintiff as required by *Weakley v. Bowen*, 803 F.2d 575, 580 (10<sup>th</sup> Cir. 1986).

IT IS SO ORDERED this 19<sup>th</sup> day of December, 2018.

  
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SCOTT L. PALK  
UNITED STATES DISTRICT JUDGE